

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

AFFINITY LABS OF TEXAS, LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG TELECOMMUNICATIONS
AMERICA, LLC F/K/A SAMSUNG
TELECOMMUNICATIONS AMERICA, L.P.,
HIGH TECH COMPUTER CORP., A/K/A HTC
CORP., H.T.C. (B.V.I.) CORP., HTC
AMERICA, INC.; LG ELECTRONICS, INC.,
LG ELECTRONICS USA, INC., AND LG
ELECTRONICS MOBILECOMM U.S.A., INC.
D/B/A LG MOBILE PHONES,

Defendants.

Case No. 1:12-cv-00557-RC

JURY TRIAL DEMANDED

**STIPULATION AND AGREED MOTION TO DISMISS WITH PREJUDICE ALL
CLAIMS BETWEEN AFFINITY LABS OF TEXAS, LLC AND THE LG DEFENDANTS**

Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff Affinity Labs of Texas, LLC (“Affinity”) and Defendants LG Electronics, Inc., LG Electronics USA, Inc., and LG Electronics MobileComm U.S.A., Inc. (collectively, “LG”) hereby agree to and move to dismiss all claims between Affinity and LG in the above-captioned action.

WHEREFORE Affinity and LG hereby respectfully request that this Court:

- i. dismiss with prejudice all claims asserted by Affinity against LG in this action;
- ii. dismiss with prejudice all counterclaims asserted by LG against Affinity in this action; and
- iii. order that costs and attorneys’ fees shall be borne solely by the party incurring the same.

Date: April 15, 2014

By: /s/ John Mulcahy

Frank A. DeCosta, III (pro hac vice)

Email: frank.decosta@finnegan.com

Cecilia Sanabria (pro hac vice)

Email: cecilia.sanabria@finnegan.com

**FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP**

901 New York Ave., NW

Washington, DC 20001-4413

Telephone: 202-408-4000

Facsimile: 202-408-4400

Andy Sonu (pro hac vice)

Email: andy.sonu@finnegan.com

John Mulcahy (VA Bar No. 71305)

(Eastern District of Texas Member)

Email: john.mulcahy@finnegan.com

**FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP**

Two Freedom Square

11955 Freedom Drive

Reston, VA 20190-5675

Telephone: 571-203-2751

Facsimile: 202-408-4400

J. Thad Heartfield

(State Bar No. 09346800)

Email: thad@jth-law.com

M. Dru Montgomery

(State Bar No. 24010800)

Email: dru@jth-law.com

THE HEARTFIELD LAW FIRM

2195 Dowlen Rd

Beaumont, TX 77706

Telephone: 409-866-3318

Facsimile: 409-866-5789

Attorneys for Defendants

LG ELECTRONICS, INC.,

LG ELECTRONICS USA, INC., and

LG ELECTRONICS MOBILECOMM

U.S.A., INC.

Respectfully submitted,

/s/ Charles W. Goehringer, Jr.

Germer PLLC

Lawrence Louis Germer

(TX Bar # 07824000)

Charles W. Goehringer, Jr.

(TX Bar # 00793817)

550 Fannin, Suite 400

P.O. Box 4915

Beaumont, Texas 77701

Telephone: (409) 654-6700

Fax: (409) 835-2115

llgermer@germer.com

cwgoehringer@germer.com

Robins, Kaplan, Miller & Ciresi L.L.P.

Ronald J. Schutz (MN Bar No. 130849)

(Eastern District of Texas Member)

Cyrus A. Morton (MN Bar No. 287325)

(Eastern District of Texas Member)

Daniel R. Burgess (MN Bar No. 389976)

(Eastern District of Texas Member)

Shira T. Shapiro (MN Bar No. 390508)

(pro hac vice)

Kristine Tietz (MN Bar No. 393477)

(pro hac vice)

800 LaSalle Avenue, Suite 2800

Minneapolis, Minnesota 55402

Telephone: (612) 349-8500

Fax: (612) 339-4181

RJSchutz@rkmc.com

CAMorton@rkmc.com

DRBurgess@rkmc.com

STShapiro@rkmc.com

KATietz@rkmc.com

**Attorneys for Plaintiff Affinity Labs of
Texas, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2014, I caused a true and correct copy of this document (Stipulation and Agreed Motion to Dismiss with Prejudice All Claims and Counterclaims Between Affinity Labs of Texas, LLC and the LG Defendants) to be served on all counsel of record via Electronic Case Filing (ECF) pursuant to Local Rule CV-5(a).

Dated: April 15, 2014

/s/ Charles W. Goehringer, Jr.
Charles W. Goehringer, Jr.